IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

FRIDAY, THE 5TH OCTOBER 2007 / 13TH ASWINA 1929

Crl.MC.No. 3011 of 2007()

CMP.3161/2007 of JUDL.MAGISTRATE OF FIRST CLASS-I, ERNAKULAM

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PETITIONER: PETITIONERS/ACCUSED

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1. K.V.VARGHESE,
   NO.135, JUDGES AVENUE, KALOOR, ERNAKULAM.

2. LEKHA S. PALLAVI,
   VEDIMARA, NORTH PARAVOOR, ERNAKULAM.

BY ADV. SRI.C.RAJENDRAN

RESPONDENTS: COMPLAINANT

THE STATE OF KERALA, REPRESENTED BY
THE SUB-INSPECTOR OF POLICE, ERNAKULAM TOWN
NORTH POLICE STATION, THROUGH THE PUBLIC
PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.M.S.BREEZ

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 05/10/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

Crl.M.C.No.3011 of 2007

Dated this the 5th day of October, 2007

O R D E R

In favour of the petitioners, Annexure-A2 order has been passed directing that the mobile phones seized by the police be returned to them. There was a condition that the mobile phones shall be returned after removing SIM cards. The petitioners have come to this Court aggrieved by the said condition - that the SIM cards shall be removed. There are no SIM cards in the mobile phones concerned and in these circumstances, the condition cannot be satisfied. The learned Public Prosecutor after taking instructions concedes that the State has no objection against the mobile phones being returned to the petitioners. The condition that the SIM cards shall be removed may be deleted, submits the learned Public Prosecutor also.

2. This Crl.M.C is, in these circumstances, allowed. The said condition - that the SIM cards shall be removed before release of the mobile phones, shall stand deleted.

(R.BASANT, JUDGE)

rtr/-